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**International Business Machines Corporation  
Intellectual Property Law Department**

Date

June 30, 2004

**Please Deliver to:****O.I.P.E. (Amendment to Add Inventor)**

Phone Number:

**FAX NUMBER:****(703) 746-9195**

Transmitted from:

CARLOS MUNOZ-BUSTAMANTE, c/o Amirah Scarborough  
Customer Number 25299  
IBM CORPORATION  
P.O. Box 12195  
Dept. 9CCA, Bldg 002  
Research Triangle Park, NC 2770902195

Phone:

(919) 254-2687

Fax:

(919) 254-2649

**Certificate of Facsimile under 37 C.F.R. §1.8(a)**

I hereby certify that the correspondence itemized below is being facsimile transmitted to  
**(703) 746-9195** to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on  
June 30, 2004

Amirah Scarborough  
Person mailing document

  
Signature

**Correspondence being transmitted for RPS920030239US2 10/827,165**

1. Amendment to Add Missing Inventor (2 pages/in duplicate)
2. Statement of Non-Deceptive Intent by Inventor Being Added (1 page)
3. Supplemental Declaration and Power of Attorney (3 pages)
4. Assent of Assignee to Correction of Inventorship (2 pages)
5. Notice of Recordation of Assignment Document & Assignment Document (5 pps)

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address above via the U.S. postal service. Thank you.

Total Pages 16 (including this sheet)**IBM CONFIDENTIAL**


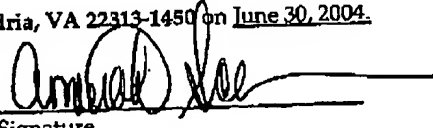
**PATENT****Practitioner's Docket No. RPS920030239US2****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re application of:** David Carroll Challenger et al;**Application No.:** 10/827165**Group No.:** 2153**Filed:** 04/16/2004**Examiner:** unknown**For:** AUTOMATIC VIRUS FIX**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450****AMENDMENT TO ADD MISSING INVENTOR  
(37 C.F.R. § 1.48(a))**

This amendment is a request to add **RANDALL SCOTT SPRINGFIELD** as an original inventor(s) to the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on April 16, 2004.

**Attachments**

Attached is:

- (a) A statement from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
- (b) A declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).

Certificate of Mailing/Facsimile 37 CFR §1.8(a)	
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<input checked="" type="checkbox"/> deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to the:	<input checked="" type="checkbox"/> facsimile transmitted to (703) 746-9195 to the:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>June 30, 2004.</u>	
 Person mailing document	 Signature

(c) Written consent of the assignee, 37 C.F.R. § 1.48(a)(4).

**Fee Payment (37 C.F.R. § 1.17(i))**

The fee required by 37 C.F.R. § 1.17(i) is paid as follows:

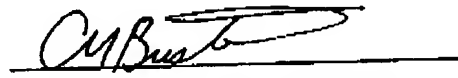
Authorization is hereby made to charge the amount of \$180.00 to Deposit Account No. 09-1990.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date:

June 30, 2004




CARLOS MUNOZ-BUSTAMANTE  
Registration No. 51,349  
919-254 2587

Customer No. 25299

**Practitioner's Docket No. RPS920030239US2****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re application of:** David Carroll Challener et al;**Application No.:** 10/827,165**Group No.:** 2153**Filed:** 04/16/2004**Examiner:** unknown**For:** AUTOMATIC VIRUS FIX**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450****STATEMENT OF NON-DECEPTIVE INTENT BY INVENTOR BEING ADDED TO  
NONPROVISIONAL PATENT APPLICATION  
(37 C.F.R. § 1.48(a))**

I, **RANDALL SCOTT SPRINGFIELD** who is being added as an inventor by the Amendment being submitted herewith to correct the inventorship of this patent application do hereby declare that the inventorship error in failing to include my name as an inventor on the executed oath or declaration filed April 16, 2004 for the abovementioned non-provisional application for patent occurred without any deceptive intention on my part.

Date: 5/14/1, 2004  
**RANDALL SCOTT SPRINGFIELD**  
107 Garden Gate Drive  
Chapel Hill, North Carolina 27516

## PATENT

SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY FOR  
PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## AUTOMATIC VIRUS FIX

the specification of which is identified by the attorney (IBM) docket number below:

☒ under Attorney Docket Number: **RPS920030239US2**  
☒ as U.S. Serial Number: **10/827,165**  
☒ filed on: **April 16, 2004**  
and amended on (if applicable):

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

I hereby claim the benefit of foreign priority under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application the priority of which is claimed:

## Prior Foreign Application(s):

## Priority Claimed?

\_\_\_ Yes \_\_\_ No

Number

Country

Filing Date

I hereby claim the benefit of United States priority under 35 USC 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial #)

(Filing Date)

(Status)

**10/745,173**

**December 23, 2003**

**Pending**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**RPS920030239US2**  
**10/827,165**

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**POWER OF ATTORNEY:** As a named inventor, I hereby appoint all attorneys and/or agents associated with **CUSTOMER NO.: 25299**; and the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Carlos Munoz-Bustamante	Reg. No. 51,349
Joscelyn G. Cockburn	Reg. No. 27,069
John D. Flynn	Reg. No. 35,137
George E. Grosser	Reg. No. 25,629
Daniel E. McConnell	Reg. No. 20,360
Martin J. McKinley	Reg. No. 31,782
Scott W. Reid	Reg. No. 42,098
Jeanine Ray-Yardlotts	Reg. No. 39,808

Send correspondence to **CUSTOMER NO.: 25299** and direct all telephone calls to **CARLOS MUNOZ-BUSTAMANTE** at (919) 254-2587.

---

**FULL NAME OF FIRST INVENTOR: DAVID CARROLL CHALLENGER**

**INVENTOR'S SIGNATURE:** *David Carroll Challenger*

**DATE:** 5/27/04

**RESIDENCE:** 713 Hunting Ridge Road; Raleigh, North Carolina, 27615

**COUNTRY OF CITIZENSHIP:** USA

**POST OFFICE ADDRESS:** same as residence

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**FULL NAME OF SECOND INVENTOR: RICHARD W. CHESTON**

**INVENTOR'S SIGNATURE:** *Richard W. Cheston*

**DATE:** 5/14/04

**RESIDENCE:** 105 Ludgate Court; Morrisville, North Carolina, 27560

**COUNTRY OF CITIZENSHIP:** USA

**POST OFFICE ADDRESS:** same as residence

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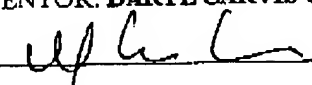
RPS920030239US2  
10/827,165

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FULL NAME OF THIRD INVENTOR: **DARYL CARVIS CROMER**

INVENTOR'S SIGNATURE: DATE: 5/24/04


RESIDENCE: 206 Halcy House Lane; Apex, North Carolina, 27502

COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

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FULL NAME OF FOURTH INVENTOR: **MARK CHARLES DAVIS**INVENTOR'S SIGNATURE: DATE: 5/14/04

RESIDENCE: 201 Spring Garden Drive; Durham, North Carolina, 27713

COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

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FULL NAME OF FIFTH INVENTOR: **HOWARD JEFFREY LOCKER**INVENTOR'S SIGNATURE: DATE: 5/14/04


RESIDENCE: 404 Hogans Valley Way; Cary, North Carolina, 27513

COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

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FULL NAME OF SIXTH INVENTOR: **RANDALL SCOTT SPRINGFIELD**INVENTOR'S SIGNATURE: DATE: 5/14/2004

RESIDENCE: 107 Garden Gate Drive; Chapel Hill, North Carolina 27516

COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

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RPS920030239US2  
10/827,165

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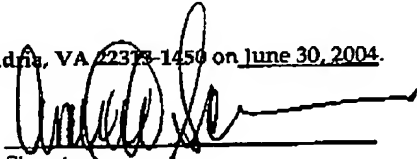
**Practitioner's Docket No. RPS920030239US2****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re application of:** David Carroll Challener et al;**Application No.:** 10/827,165**Group No.:** 2153**Filed:** 04/16/2004**Examiner:** unknown**For:** AUTOMATIC VIRUS FIX**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450****ASSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP****Name of Assignee:**

INTERNATIONAL BUSINESS MACHINES CORPORATION

**Address of Assignee:**New Orchard Road  
Armonk, New York 10504

An ASSIGNMENT &amp; RECORDATION COVER SHEET was recorded on June 18, 2004.

Assignee hereby assents to the correction of inventorship filed herewith.

<b>Certificate of Mailing/Facsimile 37 CFR §1.8(a)</b>	
I hereby certify that this correspondence is being:	
<u>      </u> deposited with the United States Postal Service	<u>  X  </u> facsimile transmitted to (703) 746-9195 to the:
as first class mail in an envelope with sufficient postage addressed to the:	
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>June 30, 2004</u> .	
<u>Amirah Scarborough</u> Person mailing document	 Signature

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10/827,165

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**RIGHT OF ASSIGNEE TO TAKE ACTION****STATEMENT UNDER 37 C.F.R. § 3.73(b)--  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

International Business Machines Corporation holds the entire right, title and interest to the above mentioned patent application and hereby seek(s) to take action in the PTO in this matter.

**PERSON AUTHORIZED TO SIGN**

I CARLOS MUNOZ-BUSTAMANTE am employed as a Patent Agent with International Business Machines Corporation. I am authorized to act on behalf of International Business Machines Corporation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**BASIS OF ASSIGNEE'S INTEREST**

A copy of the "Notice of Recordation of Assignment Document" and the Assignment document is attached.

Date:

June 30, 2004

CARLOS MUNOZ-BUSTAMANTE  
Patent Agent



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



~700092658A~

JUNE 21, 2004

PTAS

IBM CORPORATION  
PO BOX 12195  
DEPT 9CCA, BLDG 002  
RESEARCH TRIANGLE PARK, NC 27709

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/18/2004

REEL/FRAME: 014756/0207

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: RPS920030239US2

## ASSIGNOR:

CHALLENGER, DAVID CARROLL

DOC DATE: 05/27/2004

## ASSIGNOR:

CHESTON, RICHARD W.

DOC DATE: 05/14/2004

## ASSIGNOR:

CROMER, DARYL CARVIS

DOC DATE: 05/24/2004

## ASSIGNOR:

DAVIS, MARK CHARLES

DOC DATE: 05/14/2004

## ASSIGNOR:

LOCKER, HOWARD JEFFREY

DOC DATE: 05/14/2004

## ASSIGNOR:

SPRINGFIELD, RANDALL SCOTT

DOC DATE: 05/14/2004

014756/0207 PAGE 2

ASSIGNEE:

INTERNATIONAL BUSINESS MACHINES  
CORPORATION  
NEW ORCHARD ROAD  
ARMONK, NEW YORK 10504

SERIAL NUMBER: 10827165  
PATENT NUMBER:  
TITLE:

FILING DATE:  
ISSUE DATE:

LENELL MACKALL, SUPERVISOR  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

06/18/2004  
700092658

PATENT

In place of Form PTO-1595

Attorney Docket Number: RPS920030239US2

## RECORDATION FORM COVER SHEET - PATENTS

To the Commissioner for Patents: Please record the attached original document(s) or copy thereof:

## 1. Conveying party data and execution dates of Assignment:

DAVID CARROLL CHALLENGER	May 27, 2004
RICHARD W. CHESTON	May 14, 2004
DARYL CARVIS CROMER	May 24, 2004
MARK CHARLES DAVIS	May 14, 2004
HOWARD JEFFREY LOCKER	May 14, 2004
RANDALL SCOTT SPRINGFIELD	May 14, 2004

## 2. Receiving party data:

International Business Machines Corporation	Additional names & addresses attached?
New Orchard Road; Armonk, NY 10504	Yes No X

## 3. Nature of conveyance: Assignment of Assignor's Interest.

## 4. Patent Application Number: 10/827,165

## 5. Address to where correspondence concerning document should be mailed:

CUSTOMER NUMBER 25299 IBM Corporation Dept. 9CCA/002 P.O. Box 1219 Research Triangle Park, NC 27709-2195	or faxed to (919) 254-2649
--	----------------------------

## 6. Total number of applications and patents involved: 1

## 7. Total fee (37 CFR §3.41): \$40.00.

8. ☒ The Commissioner is hereby authorized to charge the fee to deposit account number 09-1990.

DO NOT USE THIS SPACE

## 9. Statement and Signature: To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

CARLOS MUNOZ-BUSTAMANTE Name of person signing	 Signature	June 18, 2004 Date
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Total number of pages including cover sheet, attachments and documents: 4

Mail documents to be recorded with required cover sheet information to: Mail Stop Assignment Division; Commissioner for Patents;  
P.O. Box 1450; Alexandria, VA 22313-1450

**PATENT****ASSIGNMENT**

Whereas, I/ we,

- |  |  |
|--|--|
| (1) <b>DAVID CARROLL CHALLENGER</b><br>County of Wake    | City of Raleigh<br>State of North Carolina     |
| (2) <b>RICHARD W. CHESTON</b><br>County of Wake          | City of Morrisville<br>State of North Carolina |
| (3) <b>DARYL CARVIS CROMER</b><br>County of Wake         | City of Apex<br>State of North Carolina        |
| (4) <b>MARK CHARLES DAVIS</b><br>County of Durham        | City of Durham<br>State of North Carolina      |
| (5) <b>HOWARD JEFFREY LOCKER</b><br>County of Wake       | City of Cary<br>State of North Carolina        |
| (6) <b>RANDALL SCOTT SPRINGFIELD</b><br>County of Orange | City of Chapel Hill<br>State of North Carolina |

have invented certain improvements in

Title:

**AUTOMATIC VIRUS FIX**

and executed a United States patent application therefor on the following date(s):

- |                                   |                                   |
|-----------------------------------|-----------------------------------|
| (1) <u>May 27, 2004</u><br>(Date) | (4) <u>May 14, 2004</u><br>(Date) |
| (2) <u>May 14, 2004</u><br>(Date) | (5) <u>May 14, 2004</u><br>(Date) |
| (3) <u>May 24, 2004</u><br>(Date) | (6) <u>May 14, 2004</u><br>(Date) |

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the application and invention, and to any United States and foreign patents to be obtained therefor;

**RP5920030239US2**  
**10/827,165**

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Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, I/we, the above named, hereby acknowledge my/our prior existing obligation and hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of the United States application, and I/we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to IBM, its successors and assigns; and I/we hereby agree that IBM may apply for foreign Letters Patent on the invention and I/we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Signed and sealed:

	<u>CITY/STATE</u>	<u>DATE</u>	<u>SIGNATURE</u>
(1)	<u>RTP, NC</u>	<u>5/27/04</u>	<u>David Carroll Challen</u> DAVID CARROLL CHALLENGER
(2)	<u>RTP, NC</u>	<u>5/14/04</u>	<u>Richard W. Cheston</u> RICHARD W. CHESTON
(3)	<u>RTP, NC</u>	<u>5/24/04</u>	<u>Daryl Carvis Cromer</u> DARYL CARVIS CROMER
(4)	<u>RTP, NC</u>	<u>5/14/04</u>	<u>Mark Charles Davis</u> MARK CHARLES DAVIS
(5)	<u>RTP, NC</u>	<u>5/14/04</u>	<u>Howard Jeffrey Locker</u> HOWARD JEFFREY LOCKER
(6)	<u>RTP, NC</u>	<u>5/14/2004</u>	<u>Randall Scott Springfield</u> RANDALL SCOTT SPRINGFIELD

RPS920030239US2  
10/827,165

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